

REMARKS

Claims 1, 2, 5-9, 11, 12, 14, 16, 17, 19, 21, 23, 24, and 26-28 are pending in the application. Claims 11, 12, 14, 16, 17, 19, 21, 23, 24 and 27-28 have been canceled without prejudice, Claim 1 has been amended, Claims 29-50 have been added, leaving Claims 1, 2, 5-9, 26, and 29-50 for consideration upon entry of the present Amendment.

Support for the amendment to Claim 1 and for new Claims 29-50 can at least be found in the claims as originally filed, the entire specification, and the figures.

No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1-2, 5-9, 11-12, 14-17, 19, 21, 21, 23-24, and 26-28 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over WO 00/30338 in view of Manico et al. (US 6,373,551) ("Manico"). Applicants respectfully traverse this rejection.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a *prima facie* case of obviousness, i.e., that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Claim 1 recites, *inter alia*, "reading data stored in a device returned by a user, the data including a unique address that is at least a portion of a web page address." In contrast, WO 00/30338 discloses a user transmitting images from an image source to a storage module over a network himself. (WO 00/30338, page 32, lines 8-19). As a result, WO 00/30338 forces more work on the user, while the claimed invention simply has the user return the device for reading. In WO 00/30338, a storage module transmits a unique unit identifier to a central server that is used for identifying the user of the storage module. In other words, WO

00/30338's identifier is for identifying the user, not a web page address, as in the claimed unique address. In contrast to the claimed element, Manico discloses a URL address 130 on a pre-paid film/one time use camera mailer 110; that URL address is not stored in any device. (Manico, col. 3, lines 11-16). WO 00/30338 and Manico, either alone or in combination, fail to teach or suggest at least this element, because the user does not have to transmit images, the unique address is at least a portion of a web page address, and the unique address is included in data stored in a device. Accordingly, independent Claim 1 is not obvious and is allowable over the above-cited references. Moreover, as dependent claims from an allowable independent claim, Claims 2, 5-9, and 26 are by definition also allowable.

Claim 29-40 claim, *inter alia*, "a shop for providing the device to the user, reading the device when it is returned, and associating with the user a unique address that is at least a portion of a web page address". For the same reasons as given above, these claims are patentable over the above-cited references.

Claim 41-50 claim, *inter alia*, "receiving a device storing image data from a user; assigning a unique address to the user, the unique address being at least a portion of a web page address; and providing access to a web page displaying the image data, the web page being accessible with the unique address." For the same reasons as given above, these claims are patentable over the above-cited references.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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November 30, 2004